

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

W.P.V., on his own behalf and on behalf of
his minor child, *W.P.O.*,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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EP-23-CV-00074-DCG

**ORDER SETTING DEADLINE TO ANSWER OR OTHERWISE RESPOND TO
PLAINTIFF’S COMPLAINT**

The parties have filed a joint report apprising the Court of this case’s status now that it’s been transferred from the Southern District of New York. Status Report, ECF No. 102.

Defendant United States of America states in that report that it “intends to file a motion to dismiss” this case, and requests “60 days from the date of th[e] status report to respond to Plaintiffs’ Complaint.” *Id.* at 4-5. Plaintiff did not take an explicit position on that request in the Joint Status Report. *See id.*

Defendant’s request is well-taken. Now that the Southern District of New York has transferred this case to this Court, a new set of Assistant U.S. Attorneys is representing Defendant. *See* Notice Substitution, ECF No. 96. Giving Defendant 60 days to answer or otherwise respond to Plaintiff’s Complaint will give those AUSAs some time to get up to speed.

The Court therefore **ORDERS** Defendant United States of America to answer or otherwise respond to Plaintiff’s Complaint by **May 8, 2023**.¹

¹ *See* FED. R. CIV. P. 6(a)(1)(C) (specifying that when, as here, the last day of a period falls on “a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday”).

So ORDERED and SIGNED this 9th day of March 2023.

A handwritten signature in black ink, appearing to read "David C. Guaderrama", written over a horizontal line.

**DAVID C. GUADERRAMA
UNITED STATES DISTRICT JUDGE**